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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA, ) NO. CR 07-0568 MHP  
14 Plaintiff, )  
15 v. )  
16 MARK JACOBSON, )  
17 Defendant. )  
18 \_\_\_\_\_

19 ) STIPULATION AND [PROPOSED] ORDER  
20 ) UNSEALING THE APPLICATION FOR  
21 ) PERMISSION TO ENTER PLEA OF GUILTY

22 The United States of America, by and through its attorney Assistant United States  
23 Attorney Kyle F. Waldinger, and the defendant Mark Jacobson, by and through his attorney  
24 Thomas F. Carlucci of Foley & Lardner LLP, hereby stipulate and agree that the Application for  
25 Permission to Enter Plea of Guilty in this matter may be unsealed. In further support of this  
26 request, the parties state as follows:

27 1. The defendant entered his plea of guilty in open Court on September 24, 2007. At  
28 that time, the Court ordered that the plea-related materials be filed under seal.

29 2. Since that time, the United States has obtained an Indictment charging the  
30 defendants David Nosal and Becky Christian with numerous offenses. That case is numbered  
31 CR 08-0237 MHP. Christian's case is set for trial on August 5, 2008.

32 3. The government intends to produce the defendant Mark Jacobson's Application

33 STIPULATION AND [PROPOSED] ORDER  
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1 for Permission to Enter Plea of Guilty to the defendants Nosal and Christian because it contains  
2 statements of the defendant. Before doing so, the United States seeks to unseal that application.  
3 (The Court previously unsealed the plea agreement.)

4 4. Accordingly, for the reasons stated above, the parties stipulate and agree that the  
5 defendant Mark Jacobson's Application for Permission to Enter Plea of Guilty with the United  
6 States should be unsealed. For purposes of clarity, the parties jointly request that the Court  
7 unseal the docket entries numbered 7 through 9, which all pertain to the defendant's entry of  
8 plea.

9 SO STIPULATED.

10 DATED: July 8, 2008

BRIAN J. STRETCH  
Acting United States Attorney

12  
13 /s/  
14 KYLE F. WALDINGER  
15 Assistant United States Attorney

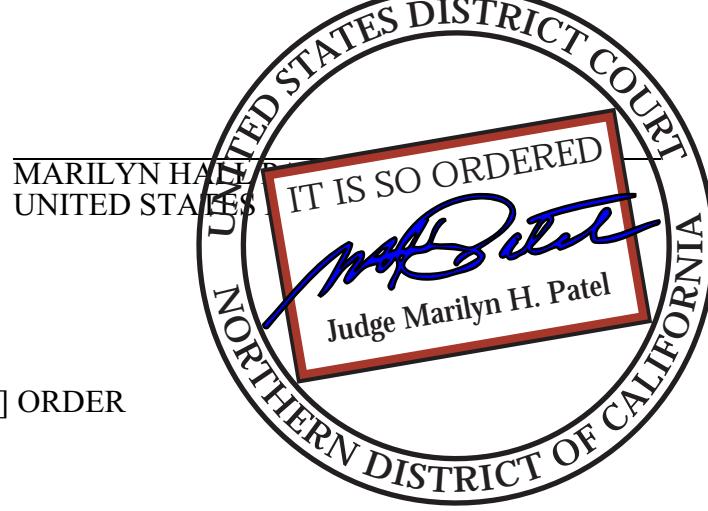
16 DATED: July 8, 2008

17 /s/  
18 THOMAS F. CARLUCCI  
FOLEY & LARDNER LLP  
19 Attorney for defendant Mark Jacobson

**[PROPOSED] ORDER**

20 Good cause appearing therefor, it is hereby ordered that the Application for Permission to  
21 Enter Plea of Guilty filed in this matter on or about September 24, 2007 is UNSEALED. The  
22 Court further orders that the docket entries 7 through 9 be UNSEALED.

24 DATED: July 10, 2008



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26 STIPULATION AND [PROPOSED] ORDER  
27 CR 07-0568 MHP  
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